

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Diaz et al. )  
Reissue of )  
Patent No. : 5,890,128 )  
Issued : March 30, 1999 )  
For : PERSONALIZED HAND )  
HELD CALORIE COMPUTER )

#17  
3-19-09  
Payton

SUPPLEMENTAL DECLARATION FOR REISSUE APPLICATION UNDER  
(37 C.F.R. § 1.175)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

We, the undersigned inventors, hereby declare that:

1. Our residence, Post Office address and citizenship are stated below next to our names.
2. We believe that we are the original, first and joint inventors of the subject matter described and claimed in U.S. Patent No. 5,890,128 (hereinafter "the '128 patent"), issued March 30, 1999 and the subject matter disclosed in the above-identified reissue application. We have reviewed and understand the contents of the "Supplemental Amendment" attached to this Declaration and filed in the above-identified reissue application concurrent with the filing of this Declaration.
3. We have reviewed and understand the contents of the specification (including the claims) of the accompanying reissue application, the preliminary amendment and all Amendments filed to date in this reissue application.
4. We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of

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Federal Regulations, § 1.56.

5. Every error in the patent which was corrected in the present reissue application, and is not covered by a prior declaration submitted in this application, arose without any deceptive intention on the part of me.

6. We have read and understand the foregoing statements of this Declaration. We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or patent issuing information.

Full name of first inventor: **H. Benjamin Diaz**

Inventor's signature \_\_\_\_\_

Date 2/5/2007

Residence: P.O. Box 294, Brea, Ca 92622

Citizenship: **United States**

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Full name of second inventor: **M. Inez Genera**

Inventor's signature \_\_\_\_\_

Date 2/5/2007

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